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From: Lawler, Michael (DPH)
Sent: Wednesday, September 14, 2011 11:37 AM
To: Nassif, Julianne (DPH); Salemi, Charles (DPH)
Subject: drug law update
Attachments: Ammendment package9-15-11.pdf

Julie and Chuck,

Recall that the Senate group which sponsored the ketamine change last year approached me in January about the rest of the considerations in that proposal. I was given a window of five business days in which to provide a new draft of the proposal and to get it on the calendar for 2011 committee reviews. Additionally, the Senators requested a proposal for the classification of the plant *Salvia Divinorum*. I alerted them the most unambiguous direction was to schedule the psychogenic agents themselves rather than the plant. This would eliminate the controversy of the plant not having a well documented botanical history in the literature and the drug distributors extracting the oils from the plant and mixing them with other substrates for consumption.

In January, I sent a new draft up to the Hill with the caveat that it would be reviewed by all the chemists here and that this draft of the proposal would have to be subject to revision as any new information came in.

I have attached the most recent draft of the proposal, (Sept. 8) which is moving through the Judiciary Committee now. This proposal will tweak two of the four bills now in Committee into their final form. For your information, I have attached the current version of the bills.

The first draft of the cocaine change was too ambitious, defining psuedococaine, allococaine and pseudoallococaine as specific isomers of concern. Chuck noted that these three isomers are not known to have any psychogenic effects and would subject the paragraph to challenge on that basis. These three isomers are being deleted. The most important cocaine strategy is of course the elimination of the TLTA test in having to determine whether the exhibit is d or l cocaine. This is accomplished by the proposed amendment.

The second change being considered in this final draft of the proposal is the bill scheduling the hallucinogens in the plant *Salvia Divinorum*. The original draft will change with the addition of 2 ethoxymethyl salvinorin b to the class C schedule. This compound was pointed out as a hallucinogen at the DEA seminar held this past spring.

To summarize, the basic proposal has been routed to the various committees for review prior to being scheduled for a vote on the floor. The language will be revised in two of the four bills which will reflect concerns which have arisen since last January.

The four bills are entering the final stages of review. Each appears now to fix the issue they were designed to resolve.

Mike